

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

v.

JOVAN VAVIC,

Defendant.

Criminal No. 19-CR-10081-IT-MPK

**DEFENDANT JOVAN VAVIC'S SUPPLEMENTAL MOTION TO DISMISS THE
SECOND SUPERSEDING INDICTMENT**

Defendant Jovan Vavic hereby moves this Court to dismiss the government's Second Superseding Indictment (Dkt. 505) as it relates to him, pursuant to Federal Rule of Criminal 12(b)(3)(B). Vavic has filed an accompanying memorandum in support of his motion pursuant to Local Rules 112.1 and 7.1.

As set forth in the Response to the Court's November 23, 2020 Order ("Order"), Dkt. 547, Defendants' motions, the parties' briefings (including the jury instructions at Dkt. 491), and the Court's November 23, 2020 decision apply to the Second Superseding Indictment ("SSI"). With respect to the newly-added count in the SSI as to Vavic for Conspiracy to Commit Federal Programs Bribery (Count III), Vavic also hereby expressly joins in the arguments previously set forth as to this charge in Defendants' motions and briefings (including in Dkts. 332, 390, 491), and the July 1, 2020 oral argument, which the Court addressed in its November 23, 2020 decision.

The instant motion and accompanying memorandum supplements the arguments previously presented in the briefing and at the July 1, 2020 oral argument in the context of the Court's Order and the SSI's new allegations as to Vavic.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rules 112.1 and 7.1(d), Vavic respectfully requests that oral argument be scheduled on this motion.

WHEREFORE, as further set out in his accompanying memorandum of law, Vavic respectfully moves the Court to dismiss the Second Superseding Indictment as it relates to him.

Dated: January 5, 2021

Respectfully Submitted,

/s/ Stephen G. Larson

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LOCAL RULE 7.1(A)(2) CERTIFICATION

Pursuant to Local Rule 7.1(A)(2), I hereby certify that counsel for the parties have conferred and attempted in good faith to narrow the issues.

/s/ Stephen G. Larson
Stephen G. Larson

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on January 5, 2021.

/s/ Stephen G. Larson
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